

1 Scott Jacobs, SBN 81980  
2 Brandon Corbridge, SBN 244934  
3 REED SMITH LLP  
355 South Grand Avenue, Suite 2900  
4 Los Angeles, CA 90071-1514  
Telephone: 213.457.8000  
Facsimile: 213.457.8080

5 Attorneys for Defendant  
6 WAL-MART STORES, INC.

7 Gene J. Stonebarger, SBN 209461  
8 Richard D. Lambert, SBN 251148  
9 STONEBARGER LAW, P.C.  
75 Iron Point Circle, Suite 145  
Folsom, CA 95630  
Telephone: 916.235.7140  
10 Facsimile: 916.235.7141

11 Co-Lead Plaintiffs' Counsel

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14

15 KIMBERLEY MAIN and EYAD AKEL,  
16 individuals, on behalf of themselves and all others  
17 similarly situated,

18 Plaintiffs,

19 vs.

20 WAL-MART STORES, INC., a Delaware  
corporation; and DOES 1 through 50, inclusive,

21 Defendants.  
22  
23  
24  
25  
26  
27  
28

No.: 3:11-cv-01919-JSW

**Consolidated Cases:**

Landeros, Case No. 11-CV-2659-JSW  
Nelson, Case No. 11-CV-2001-JSW  
Grikavicius, Case No. 11-CV-2893-JSW

**Related Case:**

Heon, Case No. 12-CV-1681 JSW

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE DEADLINE FOR  
PLAINTIFFS TO FILE UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Hon. Jeffrey S. White

**STIPULATION**

Plaintiffs Kimberley Main, Robin Nelson, Marylynn Grikavicius, Lourdes R. Landeros and Tiffany Heon ("Plaintiffs") and Defendant Wal-Mart Stores, Inc. ("Wal-Mart" or "Defendant") (collectively, the "Parties") hereby enter into this stipulation to continue the deadline for Plaintiffs to file an unopposed motion for preliminary approval of class action settlement ("Motion" or "Motion for Preliminary Approval"). Specifically, the Parties stipulate to continue the deadline for Plaintiffs to file their Motion from November 2, 2012 to November 9, 2012, subject to Court approval.

**RECITALS**

**WHEREAS**, on April 16, 2012, the Parties participated in a mediation before the Hon. Edward A. Infante (Ret.) at the JAMS Judicial Arbitration, Mediation, and ADR Services offices located in San Francisco, California, at which the Parties reached an agreement in principle on the material terms of a possible settlement, which would be subject to review and final approval by Defendant's management;

**WHEREAS**, the Parties reached a final agreement on the terms of the settlement, agreed to settle this Action, and have been in the process of preparing a formal settlement agreement, notice documents, and a claim form;

**WHEREAS**, on September 13, 2012, the Court scheduled the hearing on Plaintiffs' Motion for November 16, 2012 at 9:00 a.m. and ordered that the Motion be filed on or before October 12, 2012;

**WHEREAS**, on October 10, 2012, the Parties filed a stipulation to shorten the time for Plaintiffs to file their Motion from 35 days to 21 days before the hearing, such that the Motion would be filed by October 26, 2012, for hearing on November 16, 2012, subject to Court approval;

**WHEREAS**, on October 12, 2012, the Court entered an order continuing the deadline for Plaintiffs to file their Motion to October 26, 2012 and scheduling the hearing on the Motion for December 7, 2012;

**WHEREAS**, on October 26, 2012, the Parties filed a stipulation to continue the deadline for Plaintiffs to file their Motion to November 2, 2012, to allow the Parties additional time to resolve one final issue regarding the settlement agreement;

**WHEREAS**, on October 26, 2012, the Court entered an order continuing the deadline for Plaintiffs to file their Motion to November 2, 2012 and continuing the hearing on the Motion to January 25, 2013;

**WHEREAS**, since the Court's October 26, 2012 order, the Parties have agreed on settlement terms, the form of the settlement agreement has been approved by the Parties, and the settlement agreement is being circulated for execution;

**WHEREAS**, the Parties request a final one-week extension to allow Plaintiffs to finalize the Motion and to allow Wal-Mart time to review the Motion prior to filing.

**NOW, THEREFORE**, Plaintiffs and Defendant hereby stipulate and jointly request that the Court continue the deadline for Plaintiffs to file their Motion from November 2, 2012 to November 9, 2012.

**IT IS SO STIPULATED**

DATED: November 2, 2012

REED SMITH LLP

By: /s/ Scott H. Jacobs  
 Scott H. Jacobs  
 Brandon W. Corbridge  
 Attorneys for Defendant  
 WAL-MART STORES, INC.

DATED: November 2, 2012

STONEBARGER LAW, P.C.

By: /s/ Gene J. Stonebarger  
 Gene J. Stonebarger  
 Richard D. Lambert  
 Co-Lead Plaintiffs' Counsel


**[PROPOSED] ORDER**

**PURSUANT TO THE ABOVE STIPULATION, IT IS ORDERED** that:

1. The deadline for Plaintiffs to file their unopposed Motion for Preliminary Approval of Class Action Settlement is continued to November 9, 2012.

2. The hearing on Plaintiffs' unopposed Motion for Preliminary Approval of Class Action Settlement shall remain on calendar for January 25, 2013.

Dated: November 2, 2012

By:   
The Honorable Jeffrey S. White  
United States District Judge

REED SMITH LLP  
A limited liability partnership formed in the State of Delaware